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Date December 29, 2004

To Ex. C. Thai  
Group Art Unit: 2173

Of U.S. Patent and Trademark Office

Fax 703 872-9306

From Frank L. Bernstein, Reg. No. 31,484

Subject RESPONSE TO PTO COMMUNICATION

Our Ref ST9-97-130 Your Ref USSN 09/058,170

Pages 23  
(including cover sheet)

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In re application of

Docket No: ST9-97-130

Terry BLEIZEFFER, et al.

Appln. No.: 09/058,170

Group Art Unit: 2173

Confirmation No.: 7179

Examiner: C. Thai

Filed: April 10, 1998

For: METHOD AND APPARATUS FOR SETTING PARAMETERS IN A SYSTEM

Paper Entitled:

RESPONSE TO PTO COMMUNICATION  
PTO COMMUNICATION  
AMENDMENT UNDER 37 C.F.R. § 1.197 (w/fax receipt)

2 pages  
4 pages  
16 pages

**PATENT APPLICATION**  
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: CA1005

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**DEC 30 2004**

Terry BLEIZEFFER, et al.

Appln. No.: 09/058,170

Group Art Unit: 2173

Confirmation No.: 7179

Examiner: C. Thai

Filed: April 10, 1998

For: **METHOD AND APPARATUS FOR SETTING PARAMETERS IN A SYSTEM**

**RESPONSE TO PTO COMMUNICATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the PTO Communication dated December 16, 2004 (copy attached), Applicants note that they filed an Amendment Under 37 C.F.R. § 1.197 on October 25, 2004. A review of PAIR shows that the PTO received this paper on October 25, 2004. Submitted herewith is another copy of said Amendment.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Atty. Docket No. ST9-97-130  
**PATENT APPLICATION**

**RESPONSE TO PTO COMMUNICATION**  
U.S. Application No. 09/058,170

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Frank L. Bernstein  
Registration No. 31,484

SUGHRUE MION, PLLC  
Telephone: (650) 625-8100  
Facsimile: (650) 625-8110

MOUNTAIN VIEW OFFICE


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Date: December 29, 2004

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this RESPONSE TO PTO COMMUNICATION is being facsimile transmitted to the U.S. Patent and Trademark Office this 29th day of December, 2004.

  
Thca K. Wagner



## UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/058,170	04/10/1998	TERRY M. BLEIZEFFER	ST9-97-130/C	7179
23493	7590	12/16/2004	EXAMINER	
SUGHRUE MION, PLLC 401 Castro Street, Ste 220 Mountain View, CA 94041-2007			THAI, CUONG T	
			ART UNIT	PAPER NUMBER
			2173	
			DATE MAILED: 12/16/2004	

Please find below and/or attached an Office communication concerning this application or proceeding.

**DOCKETED**

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650 625 8110 P.05  
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APPLICATION NO/ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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09/058,170

EXAMINER
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QUONG T. THAI

ART UNIT	PAPER
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2173

24

DATE MAILED:

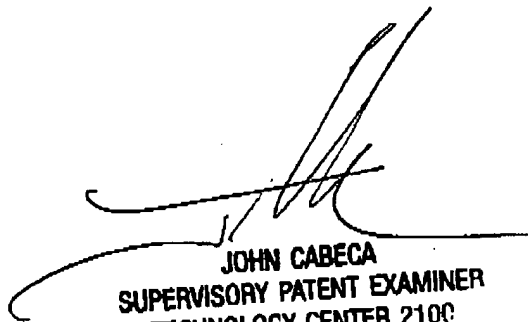
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Commissioner for Patents

Claims 3-10, 15-22, 27-34, and 39-46 are incomplete because the claims on which they depend from have been cancelled by the examiner in accordance with MPEP @ 1214.06. Applicant is given a ONE MONTH TIME LIMIT from the date of this action in which the present claims 3, 15, 27, and 39 in independent form. NO EXTENSIONS OF TIME UNDER 37 CFR 1.136 (a) WILL BE GRANTED.

Failure to comply with this dateline will result in cancellation of claims 3-10, 15-22, 27-34, and 39-46 and this application will be abandoned.

- See Attached -

  
JOHN CABECA  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100

Application/Control Number: 09/058,170  
Art Unit: 2173

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**Part III. DETAILED ACTION**

1. This action is responsive to Aug/25/2004 BPAI Decision.
2. Claims 3-10, 15-22, 27-34, and 39-46 are presented for examination. Claims 1-2, 11-14, 23-26, 35-38 and 47-48 have been cancelled.
3. Claims 3-10, 15-22, 27-34, and 39-46 are incomplete because the claims on which they depend from have been cancelled by the examiner in accordance with MPEP @ 1214.06. Applicant is given a ONE MONTH TIME LIMIT from the date of this action in which the present claims 3, 15, 27, and 39 in independent form. NO EXTENSIONS OF TIME UNDER 37 CFR 1.136 (a) WILL BE GRANTED.

Failure to comply with this dateline will result in cancellation of claims 3-10, 15-22, 27-34, and 39-46 and this application will be abandoned.

***Conclusions***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CUONG T THAI whose telephone number is (571) 272-4056. The examiner can normally be reached on 8:00 am - 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Cabeca can be reached on (571) 272-4048. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Art Unit: 2173

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CUONG T THAI  
Examiner  
Art Unit 2173

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December/13/2004

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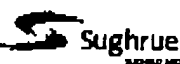


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1500 California Street Ninth Floor, Suite 1000 San Francisco, CA 94104-1000 Tel: (415) 774-2000 Fax: (415) 774-2001 www.sughrue.com	
<b>FAX</b>	
Date	October 25, 2004
To	EX. C. Thal Group Art Unit 2173
Of	U.S. Patent and Trademark Office
Fax	703 872-8006
From	Frank L. Demelain, Reg. No. 31,404
Subject	AMENDMENT UNDER 37 C.F.R. § 1.107
Our Ref	STN-97-130 Your Ref
	USPN 09/058,170
Pages (including cover sheet)	15
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Paper Entered:	AMENDMENT UNDER 37 C.F.R. § 1.107 14 pages
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